

Response Under 37 C.F.R. § 1.111

Title: "Methods and Apparatus to Provide a Handheld Pointer-Based User Interface"

U.S. Serial No. 10/697,672

REMARKS

The applicants have carefully considered the office action of July 8, 2009. By way of this response, claims 1, 10, 17, and 24 have been amended. The applicants respectfully submit that all claims are fully supported. In view of the foregoing amendments and the following remarks, the applicants request reconsideration of this application.

Interview Summary

The undersigned would like to thank Examiner Haoshian Shih for the telephonic interview conducted on September 24, 2009. The claim language of the present application was discussed in light of the cited prior art. In particular, the undersigned and Examiner Shih discussed the claim language of independent claim 1 in light of the §103 rejections of the Office action of July 8, 2009.

Rejections Under 35 U.S.C. §112

Claims 1-30 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. The applicants respectfully submit the §112 rejections of claims 1-30 are rendered moot in light of the foregoing amendments to independent claims 1, 10, 17, and 24.

Rejections Under 35 U.S.C. §102

Independent claims 1, 10, 17, and 24 were rejected under 35 U.S.C. §102(e) as anticipated by Moyne et al. (U.S. Patent No. 7,109,979). As amended, independent claim 1 recites encoding a first human-computer interaction (HCI) signal with a first code to correspond to a first time associated with a first HCI operation. Further, claim 1 recites encoding a second HCI signal with a second code to correspond to a second time associated

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with the first HCI operation, wherein the first code and the second code differ to indicate a difference between the first time and the second time.

Moyne et al. fails to describe such a method. In particular, Moyne et al. does not teach or suggest HCI signals encoded differently to indicate a difference between a first time associated with an HCI operation and a second time associated with the HCI operation.

Accordingly, Moyne et al. does not anticipate independent claim 1 or any claims dependent thereon. Thus, the applicants respectfully submit that the §102 rejections of claim 1, along with the rejections of all claims dependent thereon must be withdrawn.

Similarly, independent claims 10, 17, and 24 recite a method of, or a device to encode a first HCI signal with a first code to correspond to a first time associated with a first HCI operation. Further, independent claims 10, 17, and 24 recite a method of, or a device to encode a second HCI signal with a second code to correspond to a second time associated with the first HCI operation. Further, independent claims 10, 17, and 24 recite that the first code and the second code differ to indicate a difference between the first time and the second time.

For at least the reasons stated above, Moyne et al. cannot anticipate independent claims 10, 17, 24, or any claims dependent thereon. Thus, the §102 rejections of independent claims 10, 17, and 24, along with the rejections of all claims dependent thereon must be withdrawn.

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Conclusion

In view of the foregoing, the applicants respectfully submit that this application is in condition for allowance and request reconsideration of this application and an early favorable action on the merits. If there are any remaining matters that the Examiner would like to discuss, the Examiner is invited to contact the undersigned representative at the telephone number set forth below.

In general, the Office Action makes various statements regarding the claims and the cited references that are now moot in light of the above. Thus, the applicants will not address such statements at the present time. However, the applicants expressly reserve the right to challenge such statements in the future should the need arise (*e.g.*, if such statements should become relevant by appearing in a rejection of any current or future claim).

The Commissioner is hereby authorized to refund any overpayment and charge any deficiency in the amount paid in connection with this paper or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 1.17 to Deposit Account No. 50-2455.

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In addition, if a petition for an extension of time under 37 CFR 1.136(a) is necessary to maintain the pendency of this case and is not otherwise requested in this case, the Applicants request that the Commissioner consider this paper to be a petition for an appropriate extension of time and hereby authorize the Commissioner to charge the fee as set forth in 37 CFR 1.17(a) corresponding to the needed extension of time to the above deposit account.

October 8, 2009

Respectfully submitted,

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